

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
JOSHUA T. PAYNE,)
Defendant.)
No. 23-03007-01-CR-S-BCW

ORDER

Before the Court is the Motion to Dismiss Indictment filed by Defendant personally. (Doc. 45.) Defendant has been advised previously that he is represented by an attorney, and the Court “is not required to entertain *pro se* motions filed by a represented party.” *United States v. Tollefson*, 853 F.3d 481, 485 (8th Cir. 2017) (cleaned up). This prohibition was set forth in the February 7, 2023 Scheduling and Trial Order, which states that *pro se* filings will not be accepted from defendants who are represented by counsel. (Doc. 13 ¶ VI(A).)

Accordingly, the *pro se* Motion to Dismiss Indictment is **DENIED** without prejudice. Any motion to the Court must be made by and through Defendant's attorney. The Clerk's Office is directed to send a copy of this Order to Defendant at the Phelps County Jail via regular mail.

IT IS SO ORDERED.

/s/ David P. Rush
DAVID P. RUSH
UNITED STATES MAGISTRATE JUDGE

DATE: March 18, 2024